

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 9252

IN THE MATTER OF:

Served January 13, 2006

Application of CROWN CHARTERS &)
TOURS, LLC, WMATC No. 1063, to)
Acquire Assets from SOUTHERN)
COMFORT LINES, INC., WMATC No. 453)

Case No. AP-2005-205

By application accepted for filing December 16, 2005, Crown Charters & Tours, LLC (Crown), WMATC Carrier No. 1063, seeks Commission approval to acquire substantially all of the assets of Southern Comfort Lines, Inc. (Southern Comfort), WMATC Carrier No. 453.

Under Article XII, Section 3(a)(ii) & (c), of the Compact, the Commission may approve the application of one WMATC carrier to purchase a substantial part of the property of another WMATC carrier if the Commission finds the transaction to be in the public interest. The public interest analysis focuses on the applicant's fitness, the resulting competitive balance and the interests of affected employees.¹

Applicant has agreed to acquire Southern Comfort's minibus and fleet of motorcoaches. Applicant's proposed tariff contains a \$75 hourly charter rate with a minimum charge of 5 hours, or \$375.

Applicant also proposes charging a fee for all trips ending after 11:00 pm. Applicant will be directed to explain how a \$600 fee is just and reasonable under Article XI, Section 16(a), of the Compact.

The application also indicates that Crown plans to use one of its motorcoaches for spare parts and one for "VIP purposes only." The application, however, does not define what that term means. Applicant will be directed to define it.

This proceeding is hereby initiated to determine whether applicant is fit and whether the proposed transaction is otherwise consistent with the public interest.

¹ Act of Sept. 15, 1960, Pub. L. No. 86-794, § 3, 74 Stat. 1031, 1050 (1960) (codified at D.C. CODE § 9-1103.04 (2005)); *In re Cavalier Transp. Co., Inc., t/a Tourtime America, Ltd. & Tourtime America Motorcoach, Ltd.*, No. AP-96-21, Order No. 4926 (Sept. 12, 1996).

THEREFORE, IT IS ORDERED:

1. That applicant shall publish once in a newspaper of general circulation in the Metropolitan District, no later than January 27, 2006, notice in the form prescribed by the staff of the Commission.

2. That applicant shall file with the Commission, no later than February 10, 2006, an affidavit that notice has been published as required in the preceding paragraph.

3. That applicant shall file with the Commission, no later than February 10, 2006, a written statement explaining how a fee of \$600 for trips ending after 11:00 pm is just and reasonable under Article XI, Section 16(a), of the Compact.

4. That applicant shall file with the Commission, no later than February 10, 2006, a written statement explaining what "VIP purposes" means.

5. That the deadline for filing protests, comments, applications for intervention, and requests for formal hearing, is February 10, 2006, and that copies must be served on applicant's president, Jerroll Guins, 7605-B Barbara Lane, Clinton, MD 20735.

FOR THE COMMISSION:

A handwritten signature in dark ink, appearing to read 'W. S. Morrow, Jr.', is written over a horizontal line.

William S. Morrow, Jr.
Executive Director